

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION**

NARCISO FUENTES, individually, on behalf of others similarly situated, and on behalf of the general public,

**Case No. 4:16-cv-02001-JSW**

**JUDGMENT PURSUANT TO  
STIPULATION AND COURT ORDER ON  
SUMMARY ADJUDICATION**

Action Filed: March 7, 2016  
Trial Date: None Set

DISH NETWORK, L.L.C.; and DOES 1 through 50, inclusive,

### Defendants.

PURSUANT TO THE PARTIES' STIPULATION AND THE COURT'S ORDERS ON  
SUMMARY ADJUDICATION DATED NOVEMBER 15, 2022 AND REMAND DATED  
MAY 17, 2023, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT  
JUDGMENT BE AND IS HEREBY ENTERED AS FOLLOWS:

1. Judgment is entered in favor of Plaintiff Narciso Fuentes (on an individual basis only) and against Defendant DISH Network L.L.C. on the First Cause of Action, for Violation of the Home Solicitation Sales Act, Civil Code § 1689.5 *et seq.*

2. Judgment is entered in favor of Defendant DISH Network L.L.C., and against Plaintiff Narciso Fuentes, on the Second Cause of Action, for Violation of the California Translation Act, Civil Code § 1632.

3. Judgment is entered in favor of Plaintiff Narciso Fuentes (on an individual basis only), and against Defendant DISH Network L.L.C., on that portion of the Third Cause of Action

(for Violation of the Consumer Legal Remedies Act, Civil Code § 1750) based on Civil Code § 1770(a)(14).

3           4. Judgment is entered in favor of Defendant DISH Network L.L.C., and against  
4 Plaintiff Narciso Fuentes, on that portion of the Third Cause of Action (for Violation of the  
5 Consumer Legal Remedies Act, Civil Code § 1750) based on Civil Code § 1770(a)(19).

6       5. Judgment is entered in favor of Plaintiff Narciso Fuentes (on an individual basis  
7 only), and against Defendant DISH Network L.L.C., on that portion of the Fourth Cause of  
8 Action (for Violation of Business and Professions Code § 17200) based on violations of the  
9 HSSA and Civil Code § 1770(a)(14).

10       6. Judgment is entered in favor of Defendant DISH Network L.L.C., and against  
11 Plaintiff Narciso Fuentes, on that portion of the Fourth Cause of Action (for Violation of  
12 Business and Professions Code § 17200) based on violations of the CTA and Civil Code §  
13 1770(a)(19).

14       7. A monetary award, including prejudgment interest and costs, is awarded to  
15 Plaintiff Narciso Fuentes and against Defendant DISH Network L.L.C. in the total stipulated  
16 amount of Two Thousand Five Hundred Ninety Dollars (\$2,590). The Parties agreed to that  
17 amount as a compromise and to avoid further expense. DISH specifically does not waive any  
18 rights or defenses that might otherwise be available to it in the future or as to any other  
19 subscriber.

20       8.     Except as provided herein, Plaintiff Narciso Fuentes shall take nothing further by  
21 the judgment, and no injunctive relief shall issue.

22        9. This Judgment is rendered based on the Parties' Stipulation for Entry of Judgment  
23 and is without prejudice to the appeal rights of the parties.

25 IT IS SO ORDERED AND FINALLY ADJUDGED

27 || Dated:

Hon. Jeffrey S. White  
Judge, United States District Court